

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: PHILIPS RECALLED CPAP, BI-  
LEVEL PAP, AND MECHANICAL  
VENTILATOR PRODUCTS LITIGATION      Master Docket: Misc. No. 21-1230  
MDL No. 3014

This Document Relates to: *All Actions*

**JOINT PROPOSED AGENDA FOR THE MAY 19, 2022 STATUS CONFERENCE**

1. Discovery Plan Update with Discovery Special Master Carole Katz.
2. Science Tutorial Scheduling (September 1 for Both MDLs Combined).
3. Settlement Special Master Appointment Order.
4. Scheduling Order for Filing of Consolidated/Master Complaints and Rule 12 Briefing.
5. Order Appointing Discovery Liaison Counsel to SoClean MDL.
6. Preservation Orders, including Trilogy Update.
7. Potential Amendment to Confidentiality Protective Order.
8. In Extremis Deposition Protocol.
9. Consideration of In-Chamber Conferences Coordinated with Status Conferences.
10. Update on Burnett Defendants.
11. Update on status of remediation and FDA 518(b) Notice.

DATED: May 17, 2022

Respectfully submitted,

*/s/ Kelly K. Iverson*  
Kelly K. Iverson, Esquire  
**LYNCH CARPENTER, LLP**  
1133 Penn Avenue, 5<sup>th</sup> Floor  
Pittsburgh, PA 15222  
412-322-9243  
kelly@lcllp.com

*/s/ Sandra Duggan*  
Sandra Duggan, Esquire  
**LEVIN SEDRAN & BERMAN**  
510 Walnut Street, Suite 500  
Philadelphia, PA 19106  
215-592-1500  
sduggan@lfsblaw.com

/s/ Steven A. Schwartz  
Steven A. Schwartz, Esquire  
**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH**  
361 West Lancaster Avenue  
One Haverford Centre  
Haverford, PA 1904  
610-642-8500  
steveschwartz@chimicles.com

/s/ Christopher A. Seeger  
Christopher A. Seeger, Esquire  
**SEEGER WEISS LLP**  
55 Challenger Road, 6<sup>th</sup> Floor  
Ridgefield Park, NJ 07660  
212-584-070  
cseeger@seegerweiss.com

*Co-Lead Counsel for Plaintiffs*

/s/ Peter S. Wolff  
Peter S. Wolff, Esquire  
**PIETRALLO GORDON ALFANO  
BOSICK & RASPANTI, LLP**  
One Oxford Centre, 38th Floor  
Pittsburgh, PA 15219  
412-263-2000  
psw@pietragallo.com

/s/ D. Aaron Rihn  
D. Aaron Rihn, Esquire  
**ROBERT PEIRCE & ASSOCIATES, P.C.**  
707 Grant Street, Suite 125  
Pittsburgh, PA 15219  
412-281-7229  
arihn@peircelaw.com

*Co-Liaison Counsel for Plaintiffs*

/s/ Michael H. Steinberg  
Michael H. Steinberg, Esquire  
**SULLIVAN & CROMWELL LLP**  
1888 Century Park East  
Los Angeles, CA 90067  
310-712-6670  
steinbergm@sullcrom.com

/s/ John P. Lavelle, Jr.  
John P. Lavelle, Jr., Esquire  
**MORGAN, LEWIS & BOCKIUS LLP**  
1701 Market Street  
Philadelphia, PA 19103-2921  
215-963-5000  
John.lavelle@morganlewis.com

/s/ William B.. Monahan  
William B. Monahan, Esquire  
**SULLIVAN & CROMWELL LLP**  
125 Broad Street  
New York, NY 10004  
212-558-7375  
monahanw@sullcrom.com

/s/ Wendy West Feinstein  
Wendy West Feinstein, Esquire  
**MORGAN, LEWIS & BOCKIUS LLP**  
One Oxford Center, 32<sup>nd</sup> Floor  
Pittsburgh, PA 15219-6401  
412-560-3300  
Wendy.feinstein@morganlewis.com

*Counsel for Defendants Koninklijke Philips NV, Philips North America LLC, and Philips Holding USA Inc.*

*Counsel for Defendant Philips RS North America, LLC*

/s/ Frederick W. Bode, III  
Frederick W. Bode, III, Esquire  
Kristen Hock Prex, Esquire  
Michael A. Muha, Esquire  
**DICKIE, MCCAMEY & CHILCOTE,  
P.C.**  
Two PPG Place, Suite 400  
Pittsburgh, PA 15222  
412-282-7272  
[rbode@dmclaw.com](mailto:rbode@dmclaw.com)  
[kprex@dmclaw.com](mailto:kprex@dmclaw.com)  
[mmuha@dmclaw.com](mailto:mmuha@dmclaw.com)

*Counsel for Defendants Wm. T. Burnett Foam  
LLC, Wm. T. Burnett & Co., Wm. T. Burnett  
Management, Inc., Wm. T. Burnett Holding  
LLC, Wm. T. Burnett Fiber LLC, and Wm. T.  
Burnett IP LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed via the Court's CM/ECF system on this 17th day of May 2022 and is available for download by all counsel of record.

*/s/ D. Aaron Rihn*

\_\_\_\_\_  
D. Aaron Rihn, Esquire  
Co-Liaison Counsel